

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CLIFTON B. HENNINGTON, #2069964	§	
VS.	§	CIVIL ACTION NO. 6:20cv523
FREDRIC EDWARDS	§	

**ORDER DENYING PRELIMINARY INJUNCTION
AND TEMPORARY RESTRAINING ORDER**

This action was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation (Docket No. 8) concluding that Plaintiff’s motion for preliminary injunction and temporary restraining order (Docket No. 7) should be denied. Plaintiff has filed objections. Docket No. 10.

This Court reviews the findings and conclusions of the Magistrate Judge *de novo* only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a *de novo* review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Plaintiff’s objections are not specific objections to the Report. Plaintiff argues that he avoids the defendant and other prison officials because of his emotional and mental “actual injury” and that should be sufficient to grant him a temporary restraining order. Docket No. 10, p. 4. Frivolous, conclusory, or general objections need not be considered by the district court. *See Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (*en banc*), *overruled on other grounds*


by *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc); see also *Valez-Pedro v. Thermo King De Puerto Rico, Inc.*, 465 F.3d 31, 32 (1st Cir. 2006) (explaining that an objecting party must put forth more than “[c]onclusory allegations that do not direct the reviewing court to the issues in controversy”).

The Court has conducted a careful de novo review of the record and the Magistrate Judge’s proposed findings and recommendations. See 28 U.S.C. § 636(b)(1) (explaining the district judge shall “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made”). Having reviewed the Report and Plaintiff’s objections, the Court has determined that the Report is correct, and the objections are without merit. It is accordingly

ORDERED that the Report and Recommendation (Docket No. 8) is **ADOPTED**. It is further

ORDERED that the motion for preliminary injunction and temporary restraining order (Docket No. 7) is **DENIED**. Plaintiff’s request for a hearing pertaining to his request for a preliminary injunction and temporary restraining order is **DENIED**.

So **ORDERED** and **SIGNED** this **9th** day of **November, 2020**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE